

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER

IN

S.B. Civil Second Appeal No.87/2006

Gopal Lal S/o Kalyanmal
...defendant no.2-appellant

Versus

Bhairulal Bhatt S/o Gopal Lal
...plaintiff-respondent

AND

Bhanwar Lal Nirkhi S/o Kalyanmal Nirkhi
...defendant no.1-respondent

Date of Order ::: 02.11.2006

Present

Hon'ble Mr. Justice Narendra Kumar Jain

Shri Deepak Pareek, Counsel for the appellant

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By the Court:-

Heard learned counsel for the appellant.

The plaintiff-respondent filed a suit for possession and mandatory injunction in the lower court, which was decreed and the finding of the lower court has been affirmed by the first appellate court also.

I have heard learned counsel for the appellant and also examined the impugned judgment and decree passed by both the courts below. The controversial issues involved in the present case are relating to question of fact and there is concurrent finding of fact by both the courts below, which cannot be

interfered with by this court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.

//Jaiman//